



#7

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants: Jay YOGESHWAR et al.

Case: FPD-1

Serial No.: 09/839,439

Filed: April 20, 2001

Group Art Unit: 2173

Examiner: Not yet assigned

RECEIVED

JUN 02 2003

OFFICE OF PETITIONS

Title: **METHODS AND APPARATUS FOR ARCHIVING, INDEXING AND
ACCESSING AUDIO AND VIDEO DATA**

Mail Stop Petition

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

S I R:

PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION

Under 1.137(b) and 1.137(f)

AND

SUBMISSION OF REVOCATION OF NON-PUBLICATION REQUEST

I. Petition and Required Statement of Unintentional Delay

A non-publication request was filed with the above referenced patent application. On April 19, 2002, the Assignee of the present application filed a corresponding patent application in the PCT Office designating foreign countries. At the time the PCT application was filed, Applicant's undersigned representative failed to appreciate that a non-publication request had been filed in the present application.

05/30/2003 SLUANG1 00000025 09839439

01 FC:2453

650.00:0P

The Applicants' undersigned representative was reviewing the patent application in relation to foreign filing issues. In reviewing the file it was determined that the application had already been filed as a PCT and that a non-publication request had been filed in the case. In realizing that a revocation of non-publication request had not been filed, Applicants' undersigned representative promptly prepared and filed this petition.

Applicants' undersigned representative hereby declares that the failure to notify the Patent Office of the foreign filing within 45 days of the foreign filing date and to revoke the non-publication request was the result of an unintentional error.

This petition is accompanied by a Revocation of Non-Publication Request and Notice of Foreign Filing.

Statement that Delay was Unintentional

The undersigned hereby states that the entire delay in filing the required reply, i.e., the Revocation of Non-Publication Request and Notice of Foreign Filing, until the filing of this grantable petition, was unintentional.

II. FEE AUTHORIZATION

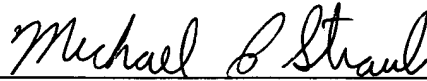
Small entity status is claimed. A check in the amount of \$650.00 to cover the petition fee under 37 C.F.R. §1.17(m) (for a small entity) is enclosed herewith. Please charge any additional or omitted fee due in regard to this application and/or credit any overpayment to the deposit

account of **Straub & Pokotylo**, deposit account number
50-1049.

Respectfully submitted,

STRAUB & POKOTYLO

May 27, 2003



Michael P. Straub, Attorney
Reg. No. 36,941
Customer No. 26479
(732) 335-1222

Straub & Pokotylo
1 Bethany Road
Suite 83, Bldg. 6
Hazlet, NJ 07730

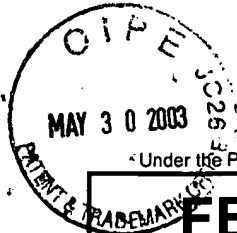
CERTIFICATE OF MAILING under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited on **May 27, 2003** with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to **Mail Stop Petition**, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450.



Michael P. Straub

36,941
Reg. No.



DAC#

Modified PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 650.00)

Complete if Known

Application Number 09/839,439

Filing Date April 20, 2001

First Named Inventor Jay Yogeshwar

Examiner Name Not yet assigned

Art Unit 2173

Attorney Docket No. FPD-1

RECEIVED

JUN 02 2003

OFFICE OF PETITIONS

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number
Deposit Account Name

50-1049

Straub & Pokotylo

The Commissioner is authorized to: (check all that apply)

☒ Charge any underpayment of fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) due in connection with the filing submitted herewith

☐ Charge fee(s) indicated below, except for the filing fee in the to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing	
SUBTOTAL (1)					(\$ 00.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee from below Fee Paid

Total Claims -20** = X =

Independent Claims -3** = X =

Multiple Dependent =

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ 00.00)

**or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	650.00
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(c)	
1806	180	1806	180	Submission of Information Disclosure	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
* Reduced by Basic Filing Fee					
SUBTOTAL (3)					(\$ 650.00)

SUBMITTED BY

Name (Print/Type)	Michael P. Straub	Registration No. (Attorney/Agent)	36,941	Telephone	(732) 335-1222
Signature	Michael P. Straub	Date	May 27, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231.